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UNITED STATES
DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

Sacramento Indian Agency
Sacramento 2, California
May 29, 1945

Commissioner of Indian Affairs
Merchandise Mart
Chicago 54, Illinois

Attention: O. R. Sande, Associate Director of Education

Dear Mr. Sande:

The records of the Sacramento Indian Agency are not very clear on the status of the school land at El Tejon Ranch. Your records in the Chicago Office should be more complete than ours. Have you looked at them?

The El Tejon group of Indians have lived in that particular spot from time immemorial--as the Indians say. From the time the sun first came up. Sometime in the 1850's, a Superintendent by the name of Beale came out from the East who enthusiastically at first supported the idea that the old Spanish grant, now under the name El Tejon, should be Indian land. Apparently, money was not forthcoming for the purchase, and a few years later we find that Beale acquired the ranch.

From that time on, the history of the Indians is a pathetic and a checkered one. At one time there were over 1,000 Indians living there; now there are just a few families. At one time, the Indians used and cultivated many hundreds of acres of land--according to the old annual Reports of the Commissioner. There are extensive irrigation ditches there which indicate that many hundreds of acres of land were irrigated. Well, I could go on, but to do so, one would have to write a book!

The outcome of the whole thing was that these Indians were gradually dissipated, especially after the Beale family disposed of the estate. For a long period of time, the Indians lived there under a system of paternalism or peonage, or whatever it may be called. I think the latter term is better. When the land passed into the hands of the present owner, there was apparently a fear that these Indians might have a right to the ownership of this land under the principle that Indians who can show continuous occupancy of land have a real claim. (As you may know, the Federal occupancy has been sustained in the courts.) Apparently, however, this claim, an effort was made to collect an annuity from these Indians for a considerable period of time. At the same time,



RM by RDR

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the land on which they had residence sites changed throughout the history of the ranch. In the twenties, the whole matter came into the courts for settlement and for clearance of title. The court ruled that the title to this land was in the El Tejon Ranch Company and not in the Indians.

This school building was built before final decision regarding the title to the ranch had been made. Our records do not indicate that any piece of land from the El Tejon Ranch was conveyed to the Government. Certainly I would say that if there was any conveyance, it would represent only this small territory upon which the school stands--about an acre in size. None of the surrounding land used by the Indians is Government-owned land. The Indians live on the ranch land--a very small piece--use it, and work for the ranch; but they have no title to it.

The El Tejon Schoolhouse is on our property list. I am rather fully convinced from what there is in the files that Federal funds were used to construct the building entirely or to a large extent. But, I do not know the conditions under which that Federal money went in. I am under the impression--as a matter of fact, I feel quite sure--that in 1920, either "grants-in-aid" were being given to school districts or contracts existed with some school districts and Counties for the education of Indian children. If grants-in-aid or a contract existed with Kern County, then, and if this building was built under such a procedure, would the title to the building logically belong to Kern County or to the Federal Government? The strange thing is that the building is on our property records. I cannot help but wonder whether it was not picked up on property because a certain amount of money was placed there for constructing this building and this office, desiring to have some record of how it spent its money, listed the building on its property records, even though it was built under the County and as a part of a program of contracting for the Indian education.

We do know from the files that there were considerable vicissitudes in the construction of this building. It was difficult to get permission from the ranch to construct the building. This is indicated by the fact that lumber was once hauled out there and nobody knew where the building was going to be erected. Mr. Lopez, the manager, did not want them to construct the building, and, apparently, the Indian Board of Trustees wanted it in a certain place. There was some controversy about the site. It is all very confused.

I am writing to Superintendent Hart and asking him if his files show anything regarding this building and the land upon

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which it rests. After I hear from him, I will write you again. In the meantime--since I am not making a final recommendation--there are a few things which I would like to have you turn over in your mind. This building, if I think it is not used as a school building--personally, I think it is not a poor building and has had too high an evaluation of it by Mr. Leach of the Construction Division. I think it is not stand there unused and suffer the fate of such as the Yokais school building. day or rot away.

It should, however, be stable and safe for families and children. Probably

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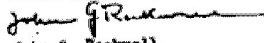
which it rests. After I hear from him, I will write you again. In the meantime--since I am not making a final recommendation--there are a few things which I would like to have you turn over in your mind. This building, if it is not used as a school building--personally, I think it is a very poor building and has had too high an evaluation placed upon it by Mr. Leech of the Construction Division--will probably stand there unused and suffer the fate of similar buildings such as the Tokala school building. It will burn down some day or rot away.

It should, however, be borne in mind that here is a stable and small Indian population of perhaps ten or twelve families who have always lived on El Tejon Ranch and would probably continue to live there for a considerable period of time. I think it would be a better idea to have the school closed and the children transported to the Sunset School, as is now planned by Superintendent Hart. The important thing is that some way be found such that this building may be used in connection with the Sunset School. That would be an economical and sensible use to which the building could be put. If that is not possible, then I think you will have to face the fact that the Office is assisting in perpetuating a rather poor school at El Tejon. It may be necessary to give Mr. Hart funds either through the contract--which is not supposed to be used for building purposes--or through legislation and appropriation funds that will permit the addition to the Sunset School.

I suggest that you look through your files and determine, if possible, whether or not the land on which the school rests is Government land. Our files do not indicate the status of this land. However, we will continue to search our files, including some old records over in the storeroom, to see if we can find some more information.

In final summary, there is no doubt in my mind that it is desirable to close this school. Neither is there any doubt in my mind that the best use of this school could be made by Superintendent Hart, in connection with the Sunset School. Finally, I want to indicate that there is a very grave question in my mind whether the land upon which the school rests was ever owned by the Government. If such is the case, does the Federal Government own the building? Would it not follow the law that improvements become part of the land?

Sincerely yours,


John G. Rockwell,
Superintendent